IN THE HIGH COURT OF JUDICATURE AT PATNA
Cr.Misc. No.34349 of 2008
ASHOK KUWAR & ORS
Versus
STATE OF BIHAR
---

2. **26.08.2008** Heard learned counsel for the petitioner and the State.

Petitioners are accused in a case for the offences registered under Sections 147, 148, 323, 324, 325 and 307 of the Indian Penal Code.

It is submitted on behalf of the petitioner that petitioner was alleged to have committed bailable offences for which he is on police bail. It is further submitted that charge sheet has been submitted. However, the Chief Judicial Magistrate differing with the same took cognizance of the offence under Section 307 of the Indian Penal Code.

Considering the above, I am not inclined to grant bail to the petitioner. Accordingly, prayer for bail is rejected.

If the petitioner on surrender before the court below makes an application for bail, the same will be considered on its own merits without being prejudiced by the order of this court in accordance with law considering to the extant law.

Let the order be communicated through fax at the cost of the petitioner.

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Jagdish/- **(Shailesh Kumar Sinha,J.)**